

## Request for Special Temporary Authorization, Supporting Statement and Waiver Request

York County, Pennsylvania, (“York” or “the County”) has completed installation of a modern T-Band communications system to support emergency activities throughout the county. The repeater infrastructure is licensed under the following call signs: WQIN458, WQIN459, WQIN461, WQIN463, WQIN464, and WQIN465. These licenses were granted pursuant to *Order* DA 08-684, released March 25, 2008, which waived Section 90.305 of the FCC Rules and Regulations to permit use of television channel 19 beyond 80 km from Philadelphia, Pennsylvania. All of these stations have been constructed and are fully operational. Mobile stations are licensed under call sign WQDJ694 which permits operation within 40 km of York County.

York County has recently filed six applications to add 36 control station locations. The additional stations will provide improved coverage in areas where communications have proven to be inadequate and will expand and enhance the emergency communications system throughout the County. These applications are currently undergoing coordination and will be submitted to the Commission in the near future. However, there is an immediate need for the additional control stations to be operational as soon as possible. The County is submitting this request for Special Temporary Authorization to activate these control stations while coordination is completed and the applications are processed by the Commission.

Section 90.305(c) requires that control station be located within the area of operation of the mobile units. All proposed sites are within York County, thus complying with this rule section. However, Section 90.307 requires that control stations antenna heights not exceed 31 meters above average terrain. Seventeen of the 36 requested stations exceed the 31 meter AAT limit. This is a limit that is impossible to meet in most cases, as even if the antennas were on the ground, the ground level at several sites exceeds 31 meters AAT. The sites being requested are absolutely necessary, as they are fire department, EMA facilities, and offices of local jurisdictions that must use the County’s radio system.

Current control stations are licensed under eighteen call signs.<sup>1</sup> Several of the control stations currently licensed also have antennas that exceed the 31 meter AAT limit. However, grants were made based on contour showings that the interference contours from the control stations were fully contained within the interference contours of the FB2/FB8 repeaters. All of those control stations are in operation and have cause no interference to any incumbent television or land mobile station, as would be expected with the contour containment.

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<sup>1</sup> WQIN457, WQIN460, WQIN462, WQIN466, WQIN469, WQIN471, WQIN473, WQIN474, WQIN475, WQIN476, WQIN477, WQIN481, WQIN488, WQIN495, WQIN497, WQIN500, WQIN502, and WQKL233.

Attachment One shows the interference contours for all of the 22 repeater stations in the system (red contours) and the interference contours for all of the 36 new control stations being requested (blue contours). As can be seen, again all control station contours will be within the interference contours of the repeaters. The County therefore requests that the instant applications be granted based on the attached contour study and with a waiver of Section 90.307 of the Rules.

Section 1.925(b) of the rules allows the Commission to grant waivers when the underlying purpose of the rule would not be served or would be frustrated by application of the rule and application of the rule would be contrary to the public interest. The rule was intended to prevent interference, but the contour study shows that the interference contours of the control stations are fully contained within the FB2/FB8 contours. Thus, they will create no additional interference to any incumbent television or land mobile stations. The sites are also necessary for official communications relating to the safety of life and property within the County. It would be contrary to the public interest to deny communications at these sites.

For the above reasons, York County respectfully requests that the Commission grant their request for Special Temporary Authorization for these six applications, as submitted.